



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/023,811

Applicant : Edgar Circenis

Filed : December 21, 2001

Title : METHOD AND APPARATUS FOR CONTROLLING EXECUTION OF A COMPUTER OPERATION

TC/A.U. : 2137

Examiner : Gelagay, Shewaye

Docket No. : 10016874-1

Customer No. : 022879

Mail Stop Amendment

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This *Response and Election* is filed, pursuant to 37 C.F.R. § 1.143, in reply to the Restriction Requirement mailed by the Patent & Trademark Office on June 20, 2006.

Claims 1-32 are pending in the current application. The claims were restricted into Group I (claims 1-26), and Group II (claims 27-32). Applicants traverse the restriction requirement. Applicants provisionally elect to prosecute claim Group I including claims 1-26. The Office Action states that the inventions of claim Group I and claim Group II are related as combination and subcombination. Specifically, the Office Action states that claims in Group I are drawn to regulating execution of a computer operation by determining if the computer operation requires a plug-in and determining if all the required parameters are specified. Claims in Group II are drawn to a method for executing a computer operation by determining if authorization is required for executing the computer operation.

MPEP § 806.05(a) states that a combination is an organization of which a subcombination or element is a part. In the instant case, inventions of claim Group I and claim Group II do not share a combination and subcombination relationship because the method of claim 27, while sharing some common steps with the method of claim 1, is not part of claim 1. Therefore, the restriction is not proper. In addition, Applicants believe that search and examination of the entire application can be made without serious burden on the Patent Office. Applicants respectfully request withdrawal of the restriction requirement.

In the event the restriction is maintained, Applicants provisionally elect to prosecute claim Group I including claims 1-26. Applicants reserve the right to prosecute the non-elected claims by filing one or more divisional applications.

In view of the above remarks, Applicants respectfully request examination of the current application on the merits and submit that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Date: September 21, 2006

Respectfully submitted,

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